



## ANIMAL WELFARE ORGANIZATION REGISTRATION LAWS IN OTHER STATES

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### ISSUE

Provide examples of state laws requiring or allowing non-governmental animal welfare organizations (AWOs) (e.g., animal rescue or advocacy organizations) to register with a state agency.

This report does not cover state laws regulating pet shops or animal importation. These operations and activities may be subject to additional oversight.

### SUMMARY

With the National Conference of State Legislature's assistance, we identified four states, Massachusetts, Michigan, Ohio, and Vermont, with laws requiring certain AWOs to register with a state agency in order to operate. We also identified one state, New Jersey, that maintains a voluntary AWO registry.

Each state with a mandatory registration system requires, with certain exceptions, registration by private individuals and organizations housing animals that might otherwise be abandoned, euthanized, or placed in a public (i.e., municipal or county) shelter. Under these laws, registration is not required by organizations that do not house animals, but, for example, place volunteers at public shelters or engage in advocacy work.

Only Michigan and Vermont require an inspection of all registering AWOs to ensure the facilities are appropriate for sheltering animals. It does not appear that any state charges AWOs a registration fee.

Of the five states, three, [Massachusetts](#), [Michigan](#), and [Ohio](#), have publically-accessible, online registries. The online registries provide the AWOs' names and contact information.

Table 1 provides information on the AWO registries in each of the five states, including entities covered by the laws, agencies responsible for oversight, and penalties for not registering.

**Table 1: State AWO Registration Requirements**

<b>State</b> <i>(citation)</i>	<b>Entities Covered by the Law</b>	<b>Entities Not Covered by the Law</b>	<b>Oversight Agency</b>	<b>Penalty for Not Registering</b>
<b>Massachusetts</b>  (Emergency Order <a href="#">1-AHO-05</a> (May 26, 2005))	<ul style="list-style-type: none"> <li>Organizations or individuals that sell, adopt, care for, groom, or house animals (i.e., shelter or rescue operations whose appearance and activities resemble those of a public shelter, rather than a pet shop) (see <a href="#">2005</a> and <a href="#">2007</a> operating guidelines)</li> </ul>	<ul style="list-style-type: none"> <li>Entities already licensed by the Department of Agricultural Resources for such activities (e.g., pet shops)</li> <li>Entities acting, and listed as, foster homes for a registered organization</li> </ul>	<ul style="list-style-type: none"> <li>Department of Agricultural Resources</li> </ul>	<ul style="list-style-type: none"> <li>Emergency order specifies that violators are subject to possible administrative penalties and criminal sanctions</li> </ul>
<b>Michigan</b>  (Mich. Comp. Laws §§ <a href="#">287.331</a> , <a href="#">287.336</a> , <a href="#">287.338</a> , and <a href="#">287.339b</a> )	<ul style="list-style-type: none"> <li>Animal protection shelters for mammals (i.e., facilities operated by an individual, humane society, society for the prevention of cruelty to animals, or other nonprofit organization for the care of homeless animals)</li> </ul>	<ul style="list-style-type: none"> <li>Entities operating shelters that house only (1) rodents or livestock or (2) non-mammals</li> </ul>	<ul style="list-style-type: none"> <li>Department of Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Administrative fine of up to \$1,000 per violation</li> </ul>
<b>New Jersey</b>  (N.J. Stat. Ann. §§ <a href="#">4:19-15.1</a> and <a href="#">4:19-15.33</a> )	<ul style="list-style-type: none"> <li>Animal rescue organizations (i.e., individuals or groups who, with or without compensation, house and care for homeless animals in private homes or other facilities, for the purpose of placing the animals in more permanent homes)</li> </ul>	<ul style="list-style-type: none"> <li>N/A (registration is voluntary)</li> </ul>	<ul style="list-style-type: none"> <li>Department of Health</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Ohio</b>  (Ohio Rev. Code Ann. §§ <a href="#">956.01</a> , <a href="#">956.06</a> , and <a href="#">956.13</a> )	<ul style="list-style-type: none"> <li>Animal rescues for dogs (i.e., organizations or individuals that keep, house, and maintain dogs and are dedicated to their welfare, health, safety, and protection, provided the organization or individual does not (1) operate, or sell dogs, for profit; (2) breed dogs; or (3) purchase more than nine dogs in a year, unless purchased from a dog warden, a humane society, or another dog rescue)</li> </ul>	<ul style="list-style-type: none"> <li>Entities that do not house dogs</li> </ul>	<ul style="list-style-type: none"> <li>Department of Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>\$100 civil penalty for each day the violation continues</li> </ul>
<b>Vermont</b>  (VT Stat. Ann. tit. 20, §§ <a href="#">3901</a> , <a href="#">3903</a> , and <a href="#">3911</a> )	<ul style="list-style-type: none"> <li>Animal shelters (i.e., facilities that nonprofit organizations devoted to the welfare, protection, and humane treatment of animals own, operate, or maintain to house or contain animals)</li> <li>Rescue organizations (i.e., nonprofit organizations accepting more than five animals in a calendar year for the purpose of finding them adoptive homes)</li> </ul>	<ul style="list-style-type: none"> <li>Rescue organizations accepting fewer than six animals a year</li> </ul>	<ul style="list-style-type: none"> <li>Agency of Agriculture, Food, and Markets</li> </ul>	<ul style="list-style-type: none"> <li>Fine of up to \$300, imprisonment of up to six months, or both</li> <li>Administrative penalties of up to \$1,000 per violation</li> </ul>

## **HYPERLINKS**

Massachusetts' Registry, <http://www.mass.gov/eea/agencies/agr/animal-health/shelter-and-rescue/massachusetts-approved-shelter-and-rescue-organizations-generic.html>, last visited October 31, 2014.

Michigan's Registry, [http://www.michigan.gov/documents/mdard/ANIMAL\\_SHELTERS\\_LIST\\_BY\\_COUNT\\_Y\\_425588\\_7.pdf](http://www.michigan.gov/documents/mdard/ANIMAL_SHELTERS_LIST_BY_COUNT_Y_425588_7.pdf), last visited October 31, 2014.

Ohio's Registry, <http://www.agri.ohio.gov/divs/ai/docs/Animal%20Rescue.pdf>, last visited October 31, 2014.

2005 Guidelines for Operating Animal Rescues or Shelters in the Commonwealth of Massachusetts, <http://www.mass.gov/eea/docs/agr/animal-health/docs/shelter-rescue-guidelines-final.pdf>, last visited November 3, 2014.

2007 Guidelines for Operating Animal Rescues or Shelters in the Commonwealth of Massachusetts, <http://www.mass.gov/eea/docs/agr/animal-health/docs/shelter-guidelines.pdf>, last visited November 3, 2014.

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